

*Adult  
Education  
Handbook  
for California*

*1997 Edition*

*Compiled by  
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Adult Education Unit  
California Department of Education*



## **Publishing Information**

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## FOREWORD

When this century began, no one could have imagined the vast changes in technology and information that would eventually occur. As we approach the twenty-first century—in the midst of this unparalleled information explosion—the job of providing educational opportunities for adult is becoming increasingly important.

California was one of the first states to establish a statewide adult education program,, and the state continues to hold a leadership position in teaching adults. To support this effort, the California Department of Education has prepared this *Adult Education Handbook for California* to provide school administrators involved in adult education with guide lines for their programs.

We recognize that graduation does no bring an end to learning, nor does education lose its importance as we get older. Rather, lifelong learning can continue through adult programs that deliver instruction whenever and wherever it is needed. It is essential that our public schools furnish opportunities for adults to be informed and productive citizens, capable of carrying out the responsibilities of living in a democracy. The challenge for adult schools is to offer diverse instructional programs that meet the needs of their increasingly diverse student populations.

I hope yo find this guide useful. Please let us know if you have any suggestions regarding how to improve it.

A handwritten signature in cursive script, reading "Delaine Eastin". The signature is written in dark ink and is positioned above the printed name and title.

DELAINE EASTIN  
State Superintendent of Public Instruction

## PREFACE

The *Adult Education Handbook for California* is revised periodically and distributed for use in adult education programs. The handbook is a comprehensive document that provides descriptions of standard practices in adult education administration as well as the policies, regulations, and statutes guiding the practices. It is intended to be a guide to day-to-day decision making as a program is administered. To conserve space, we have occasionally abbreviated or paraphrased entries from the primary source of authority for the items contained in this handbook. Reference to the full text of the codes and regulations is advised so that an entry's full contextual sense can be appreciated.

Because regulations and policies tend to reflect the dynamic nature of society and legislation, periodic revisions of this handbook's content are to be expected.

The Adult Education Unit welcomes suggestions for revisions or modifications from adult school users of this publication.

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**SECTION 000:**  
**GENERAL REQUISITES OF ADULT EDUCATION**

Revised 1995

SUBJECT 001:  
SEPARATE ADULT SCHOOLS (100 A.D.A. or more)

**PROGRAM SUMMARY**

Classes for adults that generated 100 units of average daily attendance (A.D.A.) or more in the preceding school year necessitate the establishment of a separate adult school. (*Education Code* Section 52502)

**001.1 ESTABLISHMENT OF A SEPARATE ADULT SCHOOL**

A separately identified adult school is established within the structure of a unified or high school district by a resolution of the governing board of the district. The governing board appoints to the school a properly credentialed administrator who is not serving as a full-time principal or vice-principal of an elementary or a secondary school. (*Education Code* sections 52501, 52502, 52503; and *California Code of Regulations, Title 5, Section 10560*)

**001.2 CDE APPROVAL**

All classes for adults that are offered for apportionment must have the approval of the California Department of Education (CDE). (*Education Code* Section 52515)

**001.3 MINIMAL TIME ASSIGNMENTS**

Minimal time assignments to be used exclusively for administration, supervision, and guidance services by properly credentialed personnel are as follows:

A.D.A. in the particular adult school during the preceding fiscal year:

100 through 199	One-half time of one administrator
200 through 299	One full-time administrator
300 through 399	One full-time administrator and one-fourth time of one other person
400 and over	One full-time administrator and one-half time of one person for each 200 units of such A.D.A. in excess of 200 (5 <i>CCR</i> 10560(c))

**001.4 OPERATIONS**

001.4-1 Separate adult schools should be in operation for a minimum of 128 teaching days in any one school year. (*Education Code* Section 52506)

001.4-2 A schedule of classes should provide for instruction at least two hours per day, four days per week. (*Education Code* Section 52506)

**SECTION 000:**  
**GENERAL REQUISITES OF ADULT EDUCATION**

Revised 1997

SUBJECT 002:  
ADULT CLASSES MAINTAINED IN CONJUNCTION WITH OTHER SCHOOLS/CENTERS (less than 100 A.D.A.)

**PROGRAM SUMMARY**

Classes for adults may be maintained in conjunction with day or evening high schools, day or evening adult schools, or day or evening regional occupational centers (ROCs). (*Education Code* Section 52512)

**002.1 ESTABLISHED BY RESOLUTION**

A program of classes for adults is established by a resolution of the governing board of any school district maintaining secondary schools. (*Education Code* Section 52501)

**002.2 REQUIREMENTS**

The governing board of the school district makes assignments of properly credentialed personnel for administration, supervision, evaluation, curriculum, and guidance in the program. (5 *CCR* 10560(b)) All classes for adults that are offered for apportionment must have the approval of the CDE. (*Education Code* Section 52515)

**002.3 TIME ASSIGNMENTS**

Assignments of time for administration, supervision, and guidance services amount to a minimum of one day per year for each unit of A.D.A. generated by adults in classes during the preceding fiscal year. (5 *CCR* 10560(b))

**002.4 OPERATIONS**

In adult education programs that generate less than 100 A.D.A. per year of state apportionment, classes may meet fewer than 128 days per year. (*Education Code* Section 52506)

**002.5 START UP PROGRAMS**

- (a) Commencing July 1, 1993, and each fiscal year thereafter, notwithstanding that a school district was not authorized to operate an adult education program pursuant to Section 41976, any school district may apply to the State Department of Education for initial program approval and funding to begin any adult education programs specified in Section 41976 provided the district meets the following criteria:
  - (1) The district did not operate nor claim state apportionment for an adult education program in the prior fiscal year.
  - (2) The district enters into a written delineation of function agreement pursuant to Chapter 3 (commencing with Section 8500) of Part 6 for this fiscal year for which initial funding is authorized between the applicant school district and the community college district in the same geographical area.

The Superintendent of Public Instruction may approve the program and state apportionment funding on the basis of the school district's documented need for adult education programs. The

superintendent shall issue a program advisory that sets forth the criteria of need that a district is required to document.

- (b) Any school district that receives state funding under this section shall ensure that priority for program services is given to persons applying for the districts's adult education programs authorized by subdivisions (b), (c), and (d) of Section 41976.
- (c) School districts that maintain a current delineation of function agreement with a community college district pursuant to Chapter 3 (commencing with Section 8500) of Part 6 are authorized to divide the responsibility for offering courses pursuant to Section 41976 by mutual agreement of the boards of those districts.
- (d) This section shall be operative to the extent that the superintendent determines that funds are available pursuant to Section 52616.19 to implement the section on or after July 1, 1993. (*Education Code* Section 52616.18)

**SECTION 000:**  
**GENERAL REQUISITES OF ADULT EDUCATION**

Revised 1997

**SUBJECT 003: ADMINISTRATIVE REGULATIONS FOR ADULT SCHOOLS AND ADULT CLASSES**

**PROGRAM SUMMARY**

Adult schools provide instruction to meet the diverse needs of students and the community members through programs designed primarily for adults.

**003.1 HOURS/DAYS CLASSES CONDUCTED**

Classes for adults may be conducted any day or evening, including Saturday and Sunday, and for such length of time during the school year as may be determined by the governing authority. Classes may not be held, however, during certain holidays specified in the Education Code. (*Education Code* sections 37220, 52505, 52513)

**003.2 DEFINITION OF ADULT**

"Adult," for purposes of this section, means a person 18 years of age or older or a person who is not concurrently enrolled in a regular high school program. However, persons 18 years of age or older who are concurrently enrolled in a regular high school program are not adults for purposes of this section. (See also section 211.2 of this handbook.) (*Education Code* Section 52610)

**003.3 FUNDS FROM IMPROPER SOURCES**

No high school or unified school district shall report for state apportionments average daily attendance in classes (1) if the district receives full compensation for such class from any public or private agency, individual, or group of individuals, except fees authorized by Section 52612; or (2) if such classes are not located in facilities clearly identified in such a manner, and established by appropriate procedures, to ensure that attendance in such classes is open to the general public, except those authorized pursuant to Section 52570 and those in state hospitals. (*Education Code* Section 52517)

**003.4 VOLUNTEER TRAINING PROGRAMS**

Approval of a laboratory phase of the volunteer training program will be based on content and on a ratio not to exceed one hour of laboratory instruction for one hour of in-class instruction. (*Education Code* Section 52506)

**003.5 PREGNANT OR PARENTING MINORS/A.D.A. ACCOUNTING**

Notwithstanding Education Code Section 52610, any minor, regardless of age, who is pregnant or is a parent actively engaged in raising one or more of his or her children, is eligible to enroll in any adult education course or class described in subdivision (a) of Section 41976 or in Section 52616.2. The attendance of any such pupil in that course or class shall be counted for adult education apportionment purposes, except that no district shall be entitled to claim A.D.A. for apportionment purposes in excess of the amount authorized by subdivision (b) of Section 52616 or to claim both adult A.D.A. and regular A.D.A. for attendance in these classes. (*Education Code* Section 52610.5)

**003.7 REQUIRED CLASSES, ENGLISH**

Upon application of 20 or more persons above the age of 18 years residing in a high school district who cannot speak, read, or write the English language to a degree of proficiency equal to that required for the completion

of the eighth grade of the elementary schools, the governing board of the high school district shall establish classes in English. The classes are to be held at least twice a week for a two-hour period. If the enrollment in any class falls to ten or fewer for a month, the class may be discontinued for that year. (*Education Code* sections 52540, 52543, 52544)

#### 003.8 REQUIRED CLASSES, CITIZENSHIP

Upon application of 25 or more persons desiring training for citizenship and residing in a high school district, the governing board shall establish special classes in training for citizenship. Upon demand, the board may establish the classes with a lesser number of applicants. The classes are to be held at least twice a week for three months. At the close of this period, if the enrollment in any class has fallen to ten or fewer for the month, the class may be discontinued for that year. The course of study shall consist of U.S. history, state and community civics, and the Constitution of the United States, with special reference to those sections in the Constitution which relate directly to the duties, privileges, and rights of the individual, and such allied subjects, including English for foreigners, or activities as will properly prepare the applicants to understand and assume the responsibilities of citizenship. (*Education Code* sections 52552, 52555, 52556)

##### 003.8-1 PENALTY FOR FAILING TO ESTABLISH CLASSES

Upon satisfactory evidence that any school district required to do so has failed to establish and maintain classes in training for citizenship, the State Superintendent of Public Instruction and county superintendent of schools may withhold 5 percent of state and county apportionments until the district has complied with the provisions of this article. (*Education Code* Section 52554)

#### 003.9 RECORDS AND REPORTS

The program administrators, counselors, and teachers of each school district maintaining adult schools and classes for adults shall keep such records and shall make such reports relating to such schools and classes as may be required by the Adult Education Unit of the CDE and shall be subject to inspection. (5 CCR 10508)

#### 003.10 ADMISSION OF MINORS

Adult schools and evening high schools also may be open for the admission of minors who, in the judgment of the governing board, may be qualified for admission thereto and who meet criteria contained in Section 215 of this handbook. (*Education Code* sections 52500, 52500.1, 52523, 52610.5)

#### 003.11 ATTENDANCE PRIMARILY BY ADULTS

Adult schools and evening high schools shall consist of classes for adults. Each program area, as mandated by Education Code Section 41976, shall be designed for and attended primarily by adults. (5 CCR 10524)

#### 003.12 PERMANENT RECORDS

A permanent record file is kept for each student enrolled in subjects taken for credit. (5 CCR 430-437, 16020-16028; *Education Code* Section 49062)

#### 003.13 RETENTION OF PERMANENT RECORDS

The original of each of the records listed in this section, or one exact copy thereof when the original is required by law to be filed with another agency, is a Class 1 Permanent record and shall be retained indefinitely unless microfilmed in accordance with Section 16022(c) of the *California Code of Regulations*, Title 5. (5 CCR 16022-16023)



#### 003.14 OUT-OF-DISTRICT CLASSES

- (a) Whenever the governing board of a school district maintaining an adult school or classes for adults is unable to maintain the school or classes in the district because of its inability to secure a teacher or teachers, or because of lack of facilities, the board may, with the approval of the county superintendent of schools and the Superintendent of Public Instruction, maintain the school or classes of the district elsewhere than within the district or contract for instruction of the students in such school or classes with the governing board of another district. (*Education Code* Section 52511)
- (b) Notwithstanding the provisions of subdivision (a) of this section, whenever the governing board of a school district offering automobile driver training in an adult school or classes for adults determines that such training cannot be conducted effectively wholly within the district's boundaries, it may cause the training to be conducted outside the boundaries of the district. (*Education Code* Section 52511)

#### 003.15 BOUNDARIES

All classes for adults are offered within the boundaries of the school district. (*Education Code* Section 52511)

Exceptions: Classes in nursing education or related programs in the healing arts may be held in hospitals within or without the district. (*Education Code* Section 52530) Classes for handicapped adults may be held in the facilities of an adjacent district under contractual arrangements specified in *Education Code* Section 52572, with the permission of the county superintendent of schools and the CDE, if appropriate facilities or teachers are not available within the district. (*Education Code* Section 52511)

#### 003.16 GED TEST ELIGIBILITY

To take the GED tests in California, an individual must be a California resident or a member of the armed forces assigned to this state and meet any one of the following criteria:

- A. The individual is 18 years of age or older, or within 60 days of his or her 18th birthday (regardless of school enrollment status).
- B. The individual is within 60 days of when he or she would have graduated from high school had he or she remained in school and followed the usual course of study.
- C. The individual is 17 years of age, has been out of school for at least 60 days, and provides a letter of request for the test from the military, a post-secondary education institution or a prospective employer.

Persons who pass the GED test at age 17 will not receive the equivalency certificate until their 18th birthday; a letter of intent is issued which states that the certificate is being held pending the examinee's 18th birthday.

#### 003.17 AGREEMENTS BETWEEN STATE AGENCIES

Any public agency may enter into agreements with other state agencies pursuant to the provisions of Section 11256. (*Government Code* Section 6514.5)

## 003.18 MENTOR TEACHER PROGRAM

### 003.18-1 PROGRAM PURPOSE

The Mentor Teacher Program is intended to "...encourage teachers currently employed in the public school system to continue to pursue excellence within their profession, to provide incentives to teachers of demonstrated ability and expertise to remain in the public school system, and to restore the teaching profession to its position of primary importance within the structure of the state education system." (*Education Code* Section 44490)

### 003.18-2 SELECTION PROCESS

Mentor teacher candidates are selected by a nominating committee composed of a majority of certified classroom teachers. The appointment of the selected mentors is subject to final approval by the governing board. The mentors may serve one- to three-year terms, and the CDE encourages the reappointment of mentors to additional terms, when appropriate.

### 003.18-3 ADULT EDUCATION TEACHERS AS MENTORS

An opinion provided by the CDE legal office states that adult education teachers may be selected as mentors provided they meet the mentor qualifications set forth in Education Code Section 44491. For additional information regarding the mentor teacher program, call the Curriculum and Instructional Leadership Branch of the CDE.

## 003.19 INTERDISTRICT ATTENDANCE AGREEMENTS

Whenever two or more school districts have entered into an inter-district attendance agreement whereby one of the districts shall provide for the adult education classes for all districts included in the agreement, the average daily attendance of adults attending such classes shall, for apportionment purposes, be reported by and credited to the district in which such adults reside. This section shall only apply to those cases in which the school district providing adult education is a unified school district situated in a county of the sixth class and having, for the 1969-70 school year, a high school average daily attendance of 9,600 or more. (*Education Code* Section 46351)

## 003.20 FORMS REQUIRED BY THE CDE, ADULT EDUCATION UNIT

003.20-1 Adult Education Course Approval Request Form is a semiannual report used to list titles of all adult classes for which apportionment will be claimed for the school year and to provide evidence of public participation in program development and governing board action.

003.20-2 California Basic Educational Data System (CBEDS) County/District Information Form, due in October, pertains to adult education data and replaces Form A-41.

003.20-3 Form A-42, "File Update for the Adult Education Directory," is to be returned to the Adult Education Unit whenever changes occur.

003.20-4 Form J18/19A Addendum, "Final Report of Adult Education Average Daily Attendance," is used to report annual attendance in approved classes for adults.

003.20-5 Form J-380 is the Annual Program Cost Report for Adult Education.

### 003.21 APPORTIONMENT FOR APPROVED COURSES IN ADULT SCHOOLS

No state funds shall be apportioned to any districts on account of the attendance of students enrolled in adult schools unless the courses have been approved by the CDE. (*Education Code* Section 52515)

### 003.22 SCHOOL HOLIDAYS

Adult schools may follow the district's policy with regard to the observance of holidays identified in subdivision (a) of Education Code Section 37220. (*Education Code* sections 52506, 37220)

### 003.23 POWERS OF GOVERNING BOARD

The governing board of any school district maintaining secondary schools shall have power, with the approval of the CDE, to establish and maintain classes for adults, except programs and classes in outdoor science education and conservation education as the term is employed in Education Code Section 8760, for the purpose of providing instruction in civic, vocational, literacy, health, homemaking, technical, and general education. (*Education Code* Section 52501)

#### 003.23-1 PREPARATION OF COURSES FOR ADULT SCHOOLS

A course of study for each adult school shall be prepared under the direction of the governing board of the district maintaining the adult school and shall be subject to the approval of the CDE. (*Education Code* Section 51056)

#### 003.23-2 FILE OF PRESCRIBED COURSES

The governing board of every school district shall prepare and shall keep on file for public inspection the courses of study prescribed for the schools under its jurisdiction. (*Education Code* Section 51040)

### 003.24 STANDARDS FOR APPORTIONMENT

The CDE shall establish standards, including standards of attendance, curriculum, administration, and guidance and counseling services, for these classes as a basis for the several apportionments of state funds provided herein for the support of these classes. The State Superintendent of Public Instruction shall prepare, distribute, and maintain a detailed handbook for use by the local educational agencies. The handbook shall contain course approval criteria, implementation plans for administrative regulations, and procedures for securing course and program approvals. (*Education Code* Section 52506)

### 003.26 PROGRAMMATIC AREAS NEEDING EXPANSION

Using criteria developed by the State Superintendent of Public Instruction, each district shall be given an opportunity to apply for additional authorized units of adult education average daily attendance to meet any local needs in the identified adult education programs. Any adult education average daily attendance authorized by the State Superintendent shall result in a new authorized limit of adult education average daily attendance for the districts. (*Education Code* Section 52616.23)

### 003.27 PUBLIC AGENCY, DEFINITION

As used in this article, "public agency" includes, but is not limited to, the federal government or any federal department or agency, this state, another state or any state department or agency, a county, county board of education, county superintendent of schools, city, public corporation, public district, or regional transportation commission of this state or another state. (*Government Code* Section 6500)

#### 003.28 EXPULSION, SUSPENSION OF

The governing board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The governing board shall apply the criteria for suspending the enforcement of the expulsion order equally to all pupils, including individuals with exceptional needs as defined in Section 56026. During the period of the suspension of the expulsion order, the pupil shall be deemed to be on probationary status. The suspension of an expulsion order under this section may be revoked by the governing board upon the pupil's commission of any of the acts enumerated in Section 48900 or for any violation of the district's rules and regulations governing pupil conduct. Upon revocation of the suspension of an expulsion order, a pupil may be expelled under the terms of the original expulsion order.

Upon satisfactory completion of the rehabilitation assignment of a pupil, the pupil shall be reinstated by the governing board in a school of the district. Upon reinstatement, the governing board may also order the expungement of any or all records of the expulsion proceedings.

A decision of the governing board to suspend an expulsion order does not affect the time period and requirements for the filing of an appeal of the expulsion order with the county board of education required under Section 48919. Any appeal shall be filed within 30 days of the original vote of the governing board. (*Education Code* Section 48917)

A pupil expelled from school for any of the offenses listed in subdivision (a) or (c) of Section 48915, shall not be permitted to enroll in any other school or school district during the period of expulsion unless it is a county community school pursuant to subdivision (c) of Section 1981, or a juvenile court school, as described in Section 48645.1. (*Education Code* Section 48915.2(a))

#### 003.29 LOITERING ABOUT ADULT SCHOOLS

Every person who loiters about any school in which adults are in attendance at courses established pursuant to Chapter 10 (commencing with Section 52500) of Part 28 of the Education Code and who annoys or molests any person in attendance therein shall be punished by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment. (*Penal Code* Section 647(b))

**SECTION 000:**  
**GENERAL REQUISITES OF ADULT EDUCATION**

Revised 1995

SUBJECT 004:  
CLASSES FOR ADULTS IN COUNTY JAILS, COUNTY INDUSTRIAL FARMS, AND COUNTY ROAD CAMPS

**PROGRAM SUMMARY**

By ordinance of the County Board of Supervisors, these classes may be established in a school or the County Superintendent of Schools may be directed to establish such a program. An agreement may be entered into which specifies the state apportionments. (*Education Code* sections 1906, 1907, 1908)

**004.1 STATE AID/COUNTY JAIL, CAMPS**

The State Superintendent of Public Instruction shall allow to each school district or county superintendent that maintains a secondary school an amount equal to the actual current expense of the district of maintaining adult education classes for prisoners in any county jail, or any county industrial farm or county or joint county road camp for the current fiscal year. The amount so allowed to a district for each unit of A.D.A. in such classes shall in no event exceed the statewide average revenue limit for adults multiplied by .08. For the 1993-94 and 1994-95 fiscal years, the amount allowed shall in no event exceed the statewide average revenue limit at which adults in correctional facilities were funded in the 1992-93 fiscal year, as adjusted by any cost-of-living adjustment pursuant to Section 42238.1.

Each school district shall receive advanced apportionments as authorized by sections 41330, 41332, and 41335 on the basis of the cost data report of the district for the preceding fiscal year, and each district shall file a preliminary cost data report based upon estimated current expenses. (*Education Code* sections 41841.5(a); 1909)

**004.2 PROGRAM APPROVAL**

Programs in jails must meet standards and procedures described in Section 100 of this handbook. Health and safety classes must also offer instruction in AIDS and prevention of drug and alcohol abuse. (*Education Code* Section 41840)

**004.3 CLAIM FORM**

Claims for reimbursement for these programs are made on Form J-152. (*Education Code* Section 52506)

**004.5 CLASSES ESTABLISHED FOR ADULTS**

High schools maintained in any state institution for adults or in any city, county, or city and county jail, road camp, or farm shall consist only of classes for adults. (*Education Code* Section 52514)

**004.6 NO APPORTIONMENT FOR JAIL EDUCATION**

No district shall claim apportionment for classes conducted in county jails or detention facilities under regular State apportionment because regular adult classes must be open to the general public. (*Education Code* Section 52517)

**004.7 DIPLOMAS, CERTIFICATES**

The Governing Board of any school district maintaining an adult school shall have the authority to award diplomas or certificates to prisoners enrolled in any classes or schools in any county jail, county honor farm,

county industrial farm, or county or joint county road camp on successful completion of a prescribed course of study. (*Education Code* Section 52508)

#### 004.8 COURSE APPROVAL

All courses and classes operated by school districts and county offices of education for adults in county jails or detention facilities shall meet the approval criteria required of other courses and classes in adult education to be eligible for apportionment under the Governor's line item for jail education. (*Education Code* sections 41840, 41841.5, 41976)

#### 004.9 NATURE OF INSTRUCTION

All classes for apportionment in county jails and detention facilities should have an educational purpose, and the class period should be devoted to instruction. The CDE shall make the final determination as to whether a course has an educational purpose. (*Education Code* Section 41841.5)

#### 004.11 FIRST YEAR A.D.A. LIMIT

Notwithstanding sections 1909 and 41841.5, or any other provision of law, commencing with the 1994-95 fiscal year and each fiscal year thereafter, any school district or county superintendent of schools that did not maintain schools or classes for adults in correctional facilities in the 1993-94 fiscal year and that subsequently offers those schools or classes shall not claim, or receive apportionments for, more than 15 units of average daily attendance for the first year in which the school district or county superintendent of schools offers those classes. (*Education Code* Section 41841.8)

#### 004.12 FIFTEEN HOURS PER WEEK LIMIT

- (a) In classes for adults in any county jail, or any correctional facility, including any county industrial farm or county or joint county road camp, a day of attendance is 180 minutes of attendance; but no pupil in such a class shall be credited with more than one day of attendance in any calendar day, nor with more than 15 clock hours of attendance during any one school week. (*Education Code* Section 46191(a))
- (b) Notwithstanding subdivision (a), a pupil in that class may be credited with more than one day of attendance in any calendar day, and more than 15 clock hours of attendance during any one school week, so long as the total number of units of average daily attendance calculated on that basis for the school district or county superintendent of schools does not exceed the number of units of average daily attendance actually reimbursed for the 1992-93 fiscal year for the school district or county superintendent of schools, as adjusted for any statutorily authorized rates of growth of units of average daily attendance. (*Education Code* Section 46191(b))

#### 004.13 INDEPENDENT STUDY ATTENDANCE, JAIL PROGRAM

However, pursuant to subdivision (e) of Section 46300, no pupil in independent study, in a setting described in subdivision (a), shall be credited with more than one day of attendance in a calendar day. (*Education Code* Section 46191(b))

#### 004.14 EXPENDITURE OF FUNDS LIMITATIONS

The same expenditure of fund limitations apply to jail programs as apply to all other adult programs. (*Education Code* Section 52616.4)

**SUBJECT 000:**  
**GENERAL REQUISITES OF ADULT EDUCATION**

Revised 1997

**SUBJECT 005**  
**ATTENDANCE**

**PROGRAM SUMMARY**

Program areas mandated by Education Code Section 41976 are designed for and attended primarily by adults. (5 CCR 10524)

**005.1 ATTENDANCE ACCOUNTING**

The law does not allow apportionment-excused absences for pupils in classes for adults. (See current edition of *Attendance Accounting and Reporting in California Public Schools.*) (*Education Code* Section 46010(b)(6))

**005.3 ATTENDANCE NOT INCLUDED IN COMPUTATION; ANNUAL NUMBER ENROLLED**

The governing board of any school district may decide to omit the attendance of any person or persons enrolled in classes for adults from the district's computation of its revenue limit and state apportionments. The district shall submit annually to the State Superintendent of Public Instruction a report indicating the number of pupils in such category for the preceding fiscal year. (*Education Code* Section 46352)

**005.4 ATTENDANCE ON STUDY TRIPS**

Attendance on study trips may not exceed the number of hours and fractions of hours that have been regularly scheduled and approved by the CDE for the class. (*Education Code* Section 52506)

**005.5 NUMERICAL ENTRIES**

No symbols or equivalent markings are used in attendance records other than the actual numerical entry of hours and fractions of hours. (*Education Code* Section 52506)

**005.6 ATTENDANCE NOT REPORTED (F-1 Visa)**

No district maintaining classes for adults shall include for apportionment purposes the attendance of F-1 Visa or Form I-20AB students enrolled in a class in English and citizenship for foreigners or in a class in elementary subjects. After November 30, 1996, students in F-1 immigration status are limited in their attendance in public secondary schools (grades 9 through 12) to a maximum of 12 months. Also see item 402.20. (*Education Code* Section 52613(b), Section 625, P.L. 104-208)

**005.7 CREDIT FOR WEEKLY ATTENDANCE**

No student is credited with more than 15 clock hours of attendance per week except when enrolled in one of the following classes: elementary subjects, high school subjects for which credit is given, English for immigrants, citizenship, or trade or industrial subjects as defined by the State Board of Education for grades 7-12. (*Education Code* Section 46190)

**005.8 ATTENDANCE, PRIVATE SCHOOLS, VOCATIONAL TRAINING**

The students who attend a private post-secondary school or an activity center, work activity center, or sheltered workshop pursuant to a contract under this section shall be enrollees of the public entity and the vocational instruction provided pursuant to that contract shall be under the exclusive control and management of the

governing body of the contracting public entity. (*Education Code* Section 8092(c))

#### 005.9 REGULAR ENROLLMENT

The attendance of only those persons regularly enrolled in a class shall be counted. A person is regularly enrolled in a class only when his or her enrollment has been entered on forms, which meet the requirements of the CDE Adult Education Unit. Sign-up sheets used at a class session for attendance-keeping purposes shall not be considered sufficient evidence to constitute regular enrollment. (*Education Code* Section 52506)

#### 005.10 ATTENDANCE CREDIT: APPRENTICESHIP

Attendance in apprenticeship classes is reimbursed to the school at an hourly rate independent of the school's revenue limit. (*Education Code* Section 8152)

#### 005.12 REPORTING OF AVERAGE DAILY ATTENDANCE (A.D.A.)

The governing board of each school district shall report to the State Superintendent of Public Instruction during each fiscal year the A.D.A. of the district for all full school months during (1) the period between July 1 and December 31, inclusive, to be known as the "first period" report for the first principal apportionment, and (2) the period between July 1 and April 15, inclusive, to be known as the "second period" report for the second principal apportionment. The average daily attendance in those schools and classes for adults shall be determined by dividing the total number of days of attendance in all full school months in the first period by a divisor of 70, in the second period by 135, and at annual time by 175. (*Education Code* Section 41601)

#### 005.13 RECORDING ATTENDANCE, ADULTS

Attendance shall be reported in clock hours for pupils in classes for adults whenever held pursuant to the Education Code. Pursuant to 5 CCR 404, if a pupil is present for any part of a scheduled hour of attendance in "a class described in Section 406," the pupil is to be credited with the full hour. When classes subject to hourly attendance accounting are scheduled for more or less than an exact hour or multiple of an hour in each session, resulting attendance credit is aggregated into whole hours for reporting. To be credited with a following hour (or scheduled portion of an hour) of the same class, the pupil must, of course, be present for some part of that hour. The record, then, must be configured to substantiate that each hour or portion of an hour of a pupil's credited attendance was separately determined. An hour consists of 60 minutes. (See also entry 005.18.) (*Attendance Accounting and Reporting in California Public Schools*, 5 CCR Section 406)

#### 005.14 COMPUTING A.D.A./TEACHER SUPERVISION

In computing average daily attendance of a school district or county office of education, there shall be included the attendance of pupils while engaged in educational activities required of those pupils and under the immediate supervision and control of an employee of the district or county office who possessed a valid certification document, registered as required by law. This precludes claiming A.D.A. for scheduled breaks. (*Education Code* Section 46300(a))

#### 005.15 DAY OF ATTENDANCE

In classes for adults, a day of attendance is 180 minutes of attendance. (*Education Code* Section 46190)

#### 005.16 REPORTED SEPARATELY

Adults enrolled in any classes maintained by high school or unified school districts or county superintendents of schools pursuant to sections 52300 through 52330, 8530, 8531, 8532, and 8533 shall be reported separately, and the adult foundation program shall be used in computing district apportionments. (*Education Code* Section 52610)



#### 005.18 LABORATORY SETTING

When adult education students study in a laboratory setting, the state's attendance accounting procedures require that each pupil have an individual attendance record of the actual minutes of attendance, that records be maintained and certified by the teacher in charge of the class, and that A.D.A. be claimed on the basis of actual minutes of attendance converted to hours. (*Education Code* Section 52506)

#### 005.19 ATTENDANCE ACCOUNTING MANUAL

For a complete presentation of the body of laws, regulations, and practices governing California school attendance accounting, refer to the latest edition of *Attendance Accounting and Reporting in California Public Schools*, available from the Bureau of Publications, Sales Unit, California Department of Education.

**SECTION 000:**  
**GENERAL REQUISITES OF ADULT EDUCATION**

Revised 1995

**SUBJECT 006:**  
Authority to Offer Adult Education Programs

**PROGRAM SUMMARY**

High school and unified school districts have authority to offer basic education and courses leading to a high school diploma. Vocational and occupational training and adult continuing education may be made available in high school, unified, and community college districts by mutual agreement.

**006.1 RESPONSIBILITY FOR BASIC EDUCATION**

Adult basic education is the responsibility of high school and unified school districts except in those instances in which, by mutual agreement, the responsibility is assigned to a community college district. (*Education Code* Section 8530)

**006.2 RESPONSIBILITY FOR HIGH SCHOOL DIPLOMA**

The high school diploma program is the responsibility of the high school and unified school districts, but courses leading to a high school diploma may be offered by a community college district pursuant to a mutual agreement. (*Education Code* Section 8531)

**006.3 DISAGREEMENT RESOLUTION**

If a mutual agreement cannot be reached by the district governing boards, the points of disagreement shall be resolved by the State Board of Education and the Board of Governors of the California Community Colleges. (*Education Code* Section 8537)

**006.4 MUTUAL AGREEMENT**

Effective July 1, 1977, (a) for noncredit classes or programs in community colleges pursuant to this chapter, average daily attendance for state apportionment purposes shall only be calculated for such classes or programs which by mutual agreement are the responsibility of the community colleges pursuant to sections 8530 and 8531; and (b) for noncredit classes or programs offered in the community colleges and for classes for adults offered in high schools or adult schools pursuant to this chapter, average daily attendance for state apportionment purposes shall only be calculated for such classes or programs which by mutual agreement are the responsibility of the community colleges or of the high school or unified school districts pursuant to sections 8532 and 8533. (*Education Code* Section 8538)

**006.5 TRANSFER OF NONCREDIT CLASSES/PROGRAMS**

- (a) When governing boards agree to transfer an existing program, all legal and contractual obligations of either or both districts under the program shall be clearly stated, with appropriate time requirements, in the written transfer approved by the affected governing boards.
- (b) A written transfer agreement shall specify the number of units of A.D.A. and the revenue per unit of A.D.A. to be transferred. A true copy of the transfer agreement shall be forwarded to the State Superintendent of Public Instruction or the Chancellor of the California Community Colleges, as appropriate, no later than three months before the effective date of the program transfer.
- (c) An existing program of a high school or unified school district is to be transferred to a community

college district by a transfer agreement specifying that only courses that qualify as community college noncredit education under Section 84711 shall be transferred.

An existing program of a community college district is transferred to a high school or unified school district by a transfer specifying that only those adult education courses that are described under Section 41976 shall be transferred.

- (d) The Chancellor of the California Community Colleges and the State Superintendent of Public Instruction shall jointly verify and approve the courses, the units of A.D.A., and the revenue per unit of A.D.A., including applicable inflation adjustments, if any, to be transferred under this section.
- (e) The Chancellor of the California Community Colleges and the State Superintendent of Public Instruction shall jointly determine the amount of apportionment to be transferred or reappropriated, pursuant to subdivision (d), from the affected Budget Act appropriation of the State School Fund by multiplying the units of A.D.A. to be transferred by the revenue limit per unit of A.D.A. of the transferring district at the time of the transfer. The Director of Finance shall approve that transfer. (*Education Code* Section 8535)

#### 006.6 PROGRAMS AT GRADE LEVELS 13 AND 14

Programs for adults involving course content at grade levels 13 and 14 are the responsibility of community college districts. (*Education Code* Section 8534)

#### 006.7 VOCATIONAL TRAINING PROGRAMS

Vocational and occupational training and retraining programs for adults may be made available in high school, unified, and community college districts by mutual agreement. (*Education Code* Section 8532 )

#### 006.8 ADULT CONTINUING EDUCATION COURSES

Adult continuing education, including but not limited to parent education, consumer education, civic education, education in special fields, and education in the arts and the humanities, may be made available in high school, unified, and community college districts by mutual agreement. (*Education Code* Section 8533)

#### 006.9 NEW PROGRAMS

Beginning July 1, 1993, any district which did not operate or claim apportionment for adult education in the prior year may apply to the California Department of Education for program approval and funding to operate adult education classes provided (a) funds are available; and (b) the district has entered into a delineation of function agreement with the community college district in the same geographic area. (*Education Code* Section 25616.18)

**SECTION 100:**  
**PROGRAM AND COURSE APPROVAL**

Revised 1997

**SUBJECT 101:**  
**CRITERIA FOR APPROVAL OF APPORTIONMENT COURSES**

**PROGRAM SUMMARY**

All classes for apportionment for adults must have an educational purpose, and the class period must be devoted to instruction. The CDE shall make the final determination whether a course has an educational purpose. (*Education Code* Section 52506)

**101.1 COURSE APPROVAL CRITERIA**

**101.1-1 FACILITIES CLEARLY IDENTIFIED**

Classes are located in facilities clearly identified in such a manner, and established by appropriate procedures, to ensure that attendance in such classes is open to the general public, except for those classes authorized for handicapped adults pursuant to Section 52570 and those in state hospitals. (*Education Code* Section 52517)

**101.1-2 EXCEPTIONS TO "OPEN TO PUBLIC"**

Exceptions to "open to public" are apprenticeship training classes; classes designated and established to meet the educational needs of handicapped adults; classes in state hospitals; and classes in jails and prisons. (*Education Code* sections 52517, 52570)

**101.1-3 CLASS TIME DEVOTED TO INSTRUCTION**

The period of class time must be devoted to instruction. (*Education Code* Section 52506)

**101.1-4 UNRELATED TO REPETITION**

The content of the course must be educational and be intended to teach a skill or knowledge unrelated to repetitive practices. (*Education Code* Section 52506)

**101.1-5 COURSE TITLE**

Only titles as they appear on the Adult Education Course Approval Request Form are to be used on brochures, fliers, and other communications with the public with no modifications to the approved title. Finer detail of content or emphasis can be contained in descriptive sentences under each title or included after a slash or hyphen. (*Education Code* Section 52506)

**101.2 COURSES NOT APPROVED FOR APPORTIONMENT**

**101.2-1 RECREATIONAL PHYSICAL EDUCATION/DANCING**

No class for adults in dancing or recreational physical education shall be maintained by any district for which the district receives money from the State School Fund. (*Education Code* Section 52518)

#### 101.2-2 THERAPEUTIC PURPOSES

Courses that are organized for therapeutic purposes will not be approved for state apportionment. (Education Code Section 52506)

#### 101.2-4 NO APPORTIONMENT

No high school or unified school district shall report for state apportionments A.D.A. in classes (1) if the district receives full compensation for such class from any public or private agency, individual, or group of individuals, except fees authorized by Section 52612; or (2) if such classes are not located in facilities clearly identified in such a manner, and established by appropriate procedures, to ensure that attendance in such classes is open to the general public, except those authorized pursuant to Section 52570 and those in state hospitals. (*Education Code* Section 52517)

#### 101.3 PROGRAM APPROVAL

The high school district or unified district submits selections of course titles from the Adult Education Course Approval Request Form for the impending school year to CDE, along with a brief description of the district's procedure which allowed for public participation in the adult program's development and/or approval. The district also submits evidence of governing action approving the anticipated offerings. (*Education Code* sections 35145; 52506)

#### 101.4 APPROVAL FOR FEE-SUPPORTED CLASSES

When direct costs of a class are paid for by student-paid fees, approval of such class by the CDE is not required. (*Education Code* Section 52506)

#### 101.8 CATEGORIES OF APPROVABLE COURSES

All classes and courses for which state reimbursement is claimed must be classified according to the definition and criteria of one of the following categories:

- (1) Adult programs in parenting
- (2) Adult programs in elementary and secondary basic skills and other courses and classes required for the high school diploma
- (3) Adult education programs in English as a second language (ESL)
- (4) Adult education programs in citizenship and workforce preparation for immigrants
- (5) Adult education programs for substantially handicapped persons
- (6) Adult short-term vocational programs with high employment potential
- (7) Adult programs for older adults
- (8) Adult education programs for apprentices
- (9) Adult programs in home economics
- (10) Adult programs in health and safety education (*Education Code* Section 41976)

#### 101.9 PREPARATION OF COURSES FOR ADULT SCHOOLS

A course of study for each adult school shall be prepared under the direction of the governing board of the district maintaining the adult school and shall be subject to approval of the Department of Education. (*Education Code* Section 51056)

#### 101.10 COUNTY EDUCATION OFFICES, APPORTIONMENTS FOR ADMINISTRATION

Notwithstanding subdivision (a) of Section 46300 or any other law, a county office of education may administer an adult education program and each eligible school district, as specified in subdivision (e),

within its jurisdiction may participate in the program. A county office of education administering that adult education program may report the average daily attendance of each school district participating in the adult education program for the purpose of receiving apportionments pursuant to sections 52616.18 and 52616.19. The Superintendent of Public Instruction shall make apportionments pursuant to those sections to a county office of education administering that adult education program, provided the following conditions are met:

- (a) The county office of education has a current, valid, written mutual delineation agreement with the local community college located in the geographic area in which the adult education program is offered.
- (a) The attendance of students reported is attendance while engaged in educational activities required of those students under the immediate supervision and control of a certificated employee of a school district that is under the jurisdiction of the county office of education.
- (c) The county office of education serves an area of large geographic expanse that is sparsely populated and geographically isolated, as determined by the Superintendent of Public Instruction.
- (a) The average daily attendance reported is only for those school districts that have agreed to participate in the county-administered adult education program.
- (a) At least 5 percent of the average daily attendance reported by the school districts served by the county office of education is attributable to the school districts participating in the county-administered adult education program for the purposes of apportionments pursuant to sections 52616.18 and 52616.19. (*Education Code* Section 52616.21)

**SECTION 100:**  
**PROGRAM AND COURSE APPROVAL**

Revised 1995

**SUBJECT 102: COURSE OUTLINES**

**PROGRAM SUMMARY**

A course outline clearly reflects the essential intent and content of the course described. Acceptable course outlines have six components. (*Education Code* Section 52506)

**102.1 GOALS OR PURPOSES**

The educational goals or purposes of every course are clearly stated and the class periods are devoted to instruction. The course should be broad enough in scope and should have sufficient educational worth to justify the expenditure of public funds.

**102.2 PERFORMANCE OBJECTIVES**

Objectives should be delineated and described in terms of measurable results for the student and include the possible ways in which the objectives contribute to the student's acquisition of skills and competencies.

**102.3 INSTRUCTIONAL STRATEGIES**

Instructional techniques or methods could include laboratory techniques, lecture method, small-group discussion, grouping plans, and other such strategies used in the classroom.

**102.4 TIMES OF INSTRUCTION**

The approximate time devoted to each instructional unit within the course, as well as the total hours for the course, is indicated. The time in class is consistent with the needs of the student, and the length of the class should be such that it ensures the student will learn at an optimum level.

**102.5 EVALUATION**

The evaluation describes measurable evaluation criteria clearly within the reach of the student. The evaluation indicates anticipated improvement in performances as well as anticipated skills and competencies to be achieved.

**102.6 REPETITION**

After a student has completed all the objectives of the course, he or she should not be allowed to reenroll in the course. There is, therefore, a need for a statement about the conditions for possible repetition of a course to prevent perpetuation of students in a particular program for an indefinite period of time.

**102.7 COURSE OUTLINES ON FILE**

Course outlines in all subjects shall be on file and available for review by state staff.

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

SUBJECT 201:  
ADULT PROGRAMS IN PARENTING

**PROGRAM SUMMARY**

Adult programs in parenting, including parent cooperative preschools and classes in parenting such as classes in child growth and development and parent-child relationships, consist of programs and courses organized to provide parents, prospective parents, adolescent parents, or individuals assuming parental roles with the appropriate skills and attitudes which promote the healthy development of their children and enhance the quality of family relationships. Note: Programs and courses may need to be adapted to meet the needs of adolescent parents. (*Education Code* Section 52506)

Instruction shall be designed to develop the following knowledge and skills in parent models:

**201.1 PRE- AND POSTNATAL DEVELOPMENT**

Promotes an understanding and knowledge of pre- and postnatal developmental patterns and characteristics of children

**201.2 PARENTAL ROLES**

Develops an awareness and appreciation of parental roles, including the critical role parents play in supporting and encouraging their children's success in school

**201.3 NURTURANCE AND SUPPORT OF CHILDREN**

Teaches skills, attitudes, and understandings related to the nurturance and support of children

**201.4 RELATIONSHIPS BETWEEN PARENTS AND CHILDREN**

Enables capability of establishing and maintaining positive relationships between parents and children



**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

**SUBJECT 202:**  
**ADULT PROGRAMS IN ELEMENTARY AND SECONDARY BASIC SKILLS**

**PROGRAM SUMMARY**

Adult programs in elementary and secondary basic skills consist of courses in mathematics, reading, history, science, government, language arts, and other courses and classes approved for a high school diploma. (*Education Code* Section 52506)

**202.1 INSTRUCTIONAL DESIGN**

Instruction shall be designed to provide elementary basic skills or secondary basic skills through the high school diploma for the adult learner in mathematics, reading, history, science, government, and language arts, or shall be designed for other courses or electives approved for high school credit.

**202.2 APPORTIONMENT**

Apportionments for the courses and classes, except for remedial academic language arts, may be generated only by students who do not possess a high school diploma.

**202.3 HIGH SCHOOL GRADUATION REQUIREMENTS**

Commencing with the 1988-89 school year, no pupil shall receive a diploma of graduation from high school who, while in grades nine through twelve, has not completed all of the following:

- (a) At least the following numbers of courses in the subjects specified, each course having a duration of one year, unless otherwise specified: three courses in English; two courses in mathematics; two courses in science, including biological and physical sciences; three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics, and a one-semester course in economics; one course in visual or performing arts or foreign language; and two courses in physical education, unless the pupil has been exempted pursuant to the provisions of this code
- (b) Such other course work as the governing board of the school district may by rule specify (*Education Code* Section 51225.3(a))

The governing board, with the active involvement of parents, administrators, teachers, and pupils, shall adopt alternative means for pupils to complete the prescribed course of study which may include practical demonstration of skills and competencies, supervised work experience or other outside school experience, vocational education classes offered in high schools, courses offered by regional occupational centers or programs, interdisciplinary study, independent study, and credit earned at a post-secondary institution. Requirements for graduation and specified alternative modes for completing the prescribed course of study shall be made available to pupils, parents, and the public. (*Education Code* Section 51225. 3(b))

**202.4 PHYSICAL EDUCATION EXEMPTION FOR ADULTS**

With respect to exemptions from physical education classes, the exemptions provided by law in *Education Code* sections 51241 (a)(2), 51242, and 51246 are, although not impossible to apply to adult education students, difficult to apply. A temporary exemption can be granted to an adult education student who is enrolled half time, or less, from the work normally required of full-time pupils. (*Education Code* Section 51241)

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

SUBJECT 203:  
ENGLISH AS A SECOND LANGUAGE (ESL)

**PROGRAM SUMMARY**

English-as-a-second-language (ESL) programs are designed to develop the English language skills of adults who are non-English speaking and adults with limited English-speaking skills so that they can achieve basic life needs, enhance employment and career opportunities, and increase their ability to function in English at high cognitive levels, thereby furthering their self-worth and contributing to the community. (*Education Code* Section 52506)

**203.1 PROGRAM STANDARDS**

- 203.1-1 The program has an articulated sequence of ESL courses from ESL beginning literacy through ESL advanced-high level. The variables for this standard are the number of students served and the number of sites used for classes.
- 203.1-2 The program has a curriculum, including learning objectives, for each course in the articulated sequence. The variables for this standard are the relative emphases on language focus and informational content.
- 203.1-3 The program uses multiple measures to assess students' language proficiencies for placement and promotion in courses at the appropriate proficiency levels. The variables for this standard are the ability levels of students in the students' primary languages as well as the students' ability levels in English.

**203.2 CURRICULAR STANDARDS**

- 203.2-1 The curriculum is focused on meeting students' needs, which are determined by assessments of students' language proficiencies, goals, and interests.
- 203.2-2 ESL instruction integrates language components--vocabulary, grammatical structures, language functions, and pronunciation--in units on topics that are important to the students.
- 203.2-3 In the design of curriculum, students' levels of literacy skills--whether in the students' primary languages or in English--are an essential consideration.

**203.3 INSTRUCTIONAL STANDARDS**

- 203.3-1 Instructional activities integrate the four language skills (listening, speaking, reading, and writing) to emphasize the holistic nature of language.
- 203.3-2 Language tasks in the classroom consist of meaningful interchanges that enhance students' communicative competence.
- 203.3-3 Instructional activities focus on the acquisition of communication skills necessary for students to function in real-life situations.
- 203.3-4 Instruction focuses on the development of the receptive skills (listening and reading) before development of the productive skills (speaking and writing).
- 203.3-5 A variety of grouping strategies is used in the classroom to facilitate student-centered instruction.

- 203.3-6 Instructional activities are varied to address the different learning styles (aural, oral, visual, and kinesthetic) of the students.
- 203.3-7 Instructional activities integrate language and culture so that students learn about the culture of the United States in terms of significant and subtle characteristics that compare and contrast with those of the students' own cultures.
- 203.3-8 Learning activities develop the language necessary for students to access higher-level thought processes (analysis, synthesis, and evaluation).
- 203.3-9 Instructional activities require students to take active roles in the learning process, transferring critical thinking to real problem-solving situations in everyday life.

#### 203.4 STUDENT EVALUATION STANDARDS

- 203.4-1 Students' placements in ESL courses are determined by a variety of assessments.
- 203.4-2 Instructors monitor students' progress on a continuing basis, assessing students on attainment of objectives identified in the course outline through the use of a variety of informal tests (applied performance procedures, observation, and simulations), paper and pencil exams, and standardized tests.
- 203.4-3 Assessment for moving from one level to another measures both general language proficiency and mastery of specific instructional content. (*Education Code Section 52506 and English-as-a-Second-Language Model Standards for Adult Education Programs*)

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

**SUBJECT 204:**  
**PROGRAMS FOR IMMIGRANTS**

**PROGRAM SUMMARY**

Adult education programs for immigrants eligible for educational services include instruction in citizenship and English as a second language (ESL); workforce preparation classes in the basic skills of speaking, listening, reading, writing, mathematics, decision making, and problem solving; and other classes required for preparation to participate in job-specific technical training.

**204.1 STUDENT CRITERIA**

Students must be immigrants eligible for educational services. (*Education Code* Section 52653)

**204.2 CLASSES AND COURSES**

Classes and courses are offered pursuant to paragraph (4) of subdivision (a) of *Education Code* Section 41976.

**204.3 SERVICES INCLUDED**

Services shall include those that were reimbursable under the provisions of a State Legalization Impact Assistance Grant (SLIAG) in the 1991-92 fiscal year, including, but not limited to, instruction in English as a second language (ESL), citizenship, basic skills, and ancillary services, such as outreach counseling. (*Education Code* Section 52653(b))

**204.4 WORK AND EDUCATIONAL SKILLS**

Services include developing the work and educational skills needed by the immigrant in the workplace, including, but not limited to, the communication, computational, problem-solving, and interpersonal skills needed to succeed in the workplace. (*Education Code* Section 52653(c))

**204.5 ACCESS TO SERVICES**

Services include enabling immigrants to access educational services and economic development services available to all Californians. (*Education Code* Section 52653(d))

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1997

**SUBJECT 205:**  
**CLASSES FOR DISABLED ADULTS**

**PROGRAM SUMMARY**

Separate courses for handicapped adults may be offered when the nature or the severity of their handicap (s) is such that education in regular classes with the use of related services, such as supplementary aids, cannot be achieved satisfactorily. Classes for handicapped adults are for the purposes of providing instruction in civic, vocational, literacy, homemaking, technical, and general education. (*Education Code* Section 52570)

**205.1 DEFINITION OF DISABLED INDIVIDUALS**

Substantially handicapped persons are those who have handicaps which are likely to continue indefinitely or for a prolonged period and whose handicap results in substantial functional limitations in self-care, receptive or expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency. (*Education Code* Section 52506)

**205.2 CRITERIA FOR APPROVAL**

All classes or courses for handicapped adults must meet the approval criteria required of other classes or courses in adult education to be eligible for apportionment purposes. However, classes established for handicapped adults are not subject to the "open to the public" requirement. (*Education Code* sections 52517, 52570)

**205.3 LIMITED PARTICIPATION**

Classes for adults designed and established to meet the needs of handicapped adults may be limited to serve only handicapped adults at the discretion of the governing board. (*Education Code* Section 52570)

**205.4 ASSESSMENT AND EVALUATION OF STUDENTS**

The organization of special classes for handicapped adults includes activities to ensure that each individual's capacity for learning and progress has been assessed before students enter such a program. Once enrolled, students must be regularly evaluated to ensure that they are progressing toward the goals established for them. Continued enrollment must be based on evidence of their ability to attain educational goals. (*Education Code* Section 52506)

**205.5 INSTRUCTION FOR SUBSTANTIALLY DISABLED PERSONS**

Instruction shall meet the needs of substantially handicapped persons, with learning objectives based on needs assessment, instructional time lines, and evaluation standards. (*Education Code* Section 52506)

**205.6 WORK EXPERIENCE**

Traditional kindergarten-through-grade-twelve work experience education is not permissible for apportionment in any adult education program. Special classes for disabled adults may be conducted under the direction of the governing board of the school district in workshop and training facilities provided by nonprofit organizations or in public school facilities. These classes may provide for educational activities in appropriate community settings when such activities are provided for in course outlines on file for approved courses. (*Education Code* Section 52506)

#### 205.7 LOCATIONS OF ACTIVITIES

The program activities shall be maintained in schools, sheltered workshops, work activity centers, activity centers, state hospitals, convalescent hospitals, and other institutional settings. (*Education Code* Section 52506)

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

SUBJECT 206:  
SHORT-TERM VOCATIONAL PROGRAMS WITH HIGH EMPLOYMENT POTENTIAL

**PROGRAM SUMMARY**

Adult programs in vocational education consist of organized educational programs directly related to the preparation of individuals for paid or unpaid employment or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

**206.1 ESTABLISHMENT OF VOCATIONAL CLASSES**

The governing board of any high school district or unified school district shall, prior to establishing a vocational or occupational training program, conduct a job market study of the labor market area in which it proposes to establish the program. The study shall be conducted in cooperation with concerned agencies and business representatives to determine the anticipated employment demand for trainees and to ensure that unnecessary duplication of effort with other agencies does not result from the proposed training. (*Education Code* Section 52519)

**206.2 INSTRUCTIONAL LENGTH AND SCOPE**

Instruction shall be of sufficient length and scope to meet requirements for specific job proficiencies and competencies or licensure. (*Education Code* Section 52506)

**206.3 REVIEW OF VOCATIONAL CLASSES; TERMINATION**

- (a) Every vocational or occupational training program for adults that (1) commenced following August 22, 1979, and (2) is offered by any high school district or unified school district shall be reviewed every two years by the governing board to ensure that each such program does all of the following:
  - (1) Meets a documented labor market demand
  - (2) Does not represent unnecessary duplication of other manpower training programs in the area
  - (3) Is of demonstrated effectiveness as measured by the employment and completion success of its students
- (b) Any program that does not meet the requirements of subdivision (a) and the standards promulgated by the governing board shall be terminated within one year.
- (c) The review process required by this section shall include the review and comments by the local Private Industry Council established pursuant to Division 8 (commencing with Section 15000) of the Unemployment Insurance Code, which review and comments shall occur prior to any decision by the appropriate governing body. (*Education Code* sections 52520 and 52302.3(c))

**206.4 VOCATIONAL NURSE TRAINING**

Training programs for vocational nurses (also called licensed vocational nurses (LVNs)) or other medical career training programs approved by the governing board may be maintained at hospitals or other medical facilities within or without the district for the purposes of providing hospital training for students in such training programs. (*Education Code* Section 52530)

206.5 RELEVANT NEEDS

The course shall be established to meet relevant employment needs commensurate with local job analyses.  
(*Education Code* Section 52519)



**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

**SUBJECT 207:**  
**PROGRAMS FOR OLDER ADULTS**

**PROGRAM SUMMARY**

Programs for older adults are designed to offer lifelong education that will provide opportunities for personal growth and development, community involvement, survival skills needed for self-maintenance, and economic self-sufficiency. (*Education Code* Section 52506)

**207.1 OLDER ADULTS DEFINED**

Older adults are defined by the local governing board.

**207.2 PROGRAM DESIGN**

Programs for older adults are designed for and attended primarily by older adults.

**207.3 CONTENT**

Content of course offerings includes, but is not limited to, understanding the aging process and the role of nutrition and exercise in maintaining good health, applying principles of sound consumerism and financial management, building positive relationships and support systems, and developing competencies, skills, and interests that assist in enhancing the quality of life. (*Education Code* Section 52506)

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1997

**SUBJECT 208: APPRENTICESHIP PROGRAM**

**PROGRAM SUMMARY**

An apprenticeship program provides an opportunity for learning all the basic skills and knowledge required in an occupation and is provided to youth employed primarily for that purpose. The program is supplemented by necessary related and supplemental instruction.

**208.1 RELATED AND SUPPLEMENTAL INSTRUCTION**

Instruction for apprentices is provided through classroom instruction, correspondence courses, self-study, or other means approved by state and local educational agencies pursuant to Section 3074 of the California Labor Code. (8 CCR 236)

**208.2 DEFINITION OF APPRENTICESHIP PROGRAM**

An "apprenticeable" occupation is one, which requires independent judgment in the application of manual, mechanical, or technical skills and is best learned through an organized system of on-the-job training together with related and supplemental instruction. (8 CCR 205)

**208.3 ATTENDANCE REPORTS**

Attendance in apprenticeship classes is reported in hours on J-18/19A Addendum, P-1, P-2, and annual forms.

**208.4 PROGRAM SPONSOR (LOCAL APPRENTICESHIPS)**

A program sponsor can be a local joint apprenticeship committee, a local unilateral apprenticeship committee, or a party to a unilateral apprenticeship program when there is no apprenticeship committee established to administer apprenticeship in the occupation, area, and industry. Whichever the case may be, the program sponsor must have approved written standards on file with the Division of Apprenticeship Standards. (8 CCR 236(d))

**208.5 JOINT AGREEMENTS**

A joint agreement is a written agreement between an LEA and a local apprenticeship program sponsor(s) which stipulates the method of calculating the excess costs in accordance with this article and provides for the method of payment of such excess costs, if any, to said LEA by the local apprenticeship program sponsor(s). (California Apprenticeship Council, 8 CCR 236 (e))

**208.6 TRANSFER OF APPRENTICESHIP FUNDS**

For any apprenticeship program established pursuant to Section 3074 of the Labor Code for which there is a reimbursement entitlement under Section 8152 and that is transferred from a county office of education or a school district maintaining classes in kindergarten and any of grades one to twelve, inclusive, to a community college district, the Controller, upon certification by the State Superintendent of Public Instruction, shall transfer, prior to the first or second principal apportionment, as appropriate, from Section A of the State School Fund to Section B of the State School Fund an amount equal to the numbers of hours for which the apprenticeship program received funding in the previous fiscal year multiplied by the appropriate reimbursement rate set forth in Section 8152.

For any apprenticeship program for which there is a reimbursement entitlement under Section 8152 and that

is transferred from a community college district to a school district maintaining classes in kindergarten and any of grades one to twelve, inclusive, the Controller, upon certification by the Chancellor of the California Community Colleges, shall transfer, prior to certification of the first or second principal apportionment, as appropriate, from Section B of the State School Fund to Section A of the State School Fund an amount equal to the number of hours for which the apprenticeship program received funding in the previous fiscal year multiplied by the appropriate reimbursement rate set forth in Section 8152. (*Education Code* Section 8156 (a) and (b))

#### 208.7 DEFICIT

In the event that a deficit occurs in either Section A or Section B of the State School Fund for apprenticeship programs established pursuant to Section 3074 of the Labor Code for which there is a reimbursement entitlement under Section 8152, the Director of the Department of Finance may transfer any unspent funds from one section of the State School Fund to fund a deficit in another section of the State School Fund. (*Education Code* Section 8156(c))

#### 208.8 AFFIRMATIVE ACTION

Districts maintaining high schools must provide information to students regarding availability of apprenticeship programs in compliance with affirmative action requirements for equal opportunity. (*Labor Code* Section 3074)

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

SUBJECT 209:  
PROGRAMS IN HOME ECONOMICS

**PROGRAM SUMMARY**

Home economics is an articulated sequence of courses and classes that prepares individuals for entry and/or advanced training in home occupational areas. These courses and classes may also be designed to help individuals and families meet the challenges of daily living and develop the resources for lifelong growth. (*Education Code* Section 52506)

**209.1 INSTRUCTIONAL DESIGN**

Instruction shall be designed to help individuals in occupations such as food service worker, nursery school assistant, homemaker's assistant, home health aide, and clothier alterations specialist and other occupations in fields related to home economics. Instruction may also be designed to help individuals learn about finances, resources and services, child development, family relations, housing and home furnishings, foods and nutrition, and clothing and textiles.

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

SUBJECT 210:  
HEALTH AND SAFETY

**PROGRAM SUMMARY**

Instruction in health and safety shall be related to measures to both prolong life and add to the quality of living. Courses in health and safety emphasize the positive aspects of maintaining physical, mental, and emotional well-being. (*Education Code* Section 52506)

**210.1 INSTRUCTIONAL DESIGN**

Programs in health and safety include courses in program areas such as personal health, family health, nutrition, mental-emotional health, use and misuse of substances, diseases and disorders, consumer health, accident prevention, emergency health services, community health, and environmental health. Additional appropriate courses, such as abuse of harmful substances and suicide prevention, may be drawn from the standards of the *Health Framework for California Public Schools, Kindergarten Through Grade Twelve*.

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1997

SUBJECT 211:  
FEDERAL ADULT BASIC EDUCATION ACT (ABE), PL 100-297, as Amended by the National Literacy Act, PL 102-73

**PROGRAM SUMMARY**

This act provides supplemental funds to eligible applicant agencies for instruction in adult basic education and English as a second language (ESL).

**211.1 APPLICANT AGENCY, FEDERAL ACT**

Supplemental grants provided under Section 321 and through the CDE may be awarded to public or private agencies, organizations, and institutions. Such applicant agency shall be the primary provider of the basic education and/or ESL classes for which supplemental funding is requested. Statewide agencies or organizations shall be allowed only one application. No agency levying any kind of fee, tuition, or charge to the students for these programs will be an eligible applicant.

**211.2 ADULT, DEFINITION OF**

For the purpose of this section, an adult is any individual who is 16 years of age or who is beyond the age of compulsory school attendance under state law and who is not concurrently enrolled in a comprehensive high school or a compulsory education program.

**211.3 ENGLISH AS A SECOND LANGUAGE (ESL)**

Instruction is designed for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability to function in society.

**211.4 ADULT BASIC EDUCATION CLASSES (ABE)**

Adult basic education classes are designed for adults who have not completed a secondary education or its equivalent; the classes must have as their primary objective the teaching of basic literacy skills as described in a course of study adopted by the agency's governing board and approved by the Adult Education Unit of the CDE. Such classes should meet for a minimum of four hours per week. Each course of study shall describe the skills taught and how those skills will be integrated into a competency-based adult education program. (*Education Code* Section 52506)

**211.5 ELIGIBLE APPLICANTS**

For purposes of supplemental funding through Section 321, basic skills, or section 326, institutionalized, of PL 100-297, eligible applicants include the following:

211.5-1 A local educational agency (LEA) (high school district/unified school district/county office of education/community college district)

211.5-2 A public or private nonprofit agency, organization, or institution

211.5-3 A correctional, medical, or state agency

211.5-4 A public housing authority

#### 211.6 AGENCY EXPERIENCE

Agencies or organizations must have been providing ABE and/or ESL instruction to eligible adults in California for at least one year prior to submitting an application for funds under Section 321 or Section 326.

#### 211.7 ELIGIBLE PROGRAM PURPOSES

Eligible program activities are those that help the student acquire basic literacy skills, complete elementary level courses, and secure training for employment and citizenship.

#### 211.8 HUNDRED-HOUR UNITS (HHUs)

One hundred hours of student attendance equal one unit of reimbursement of supplemental funds (100 hours = 1 HHU).

#### 211.9 ALLOWABLE EXPENDITURES

Allowable expenditures are the purchase of supplementary instructional materials and supplies; supplementary services that alleviate problems related to scheduling, class size, class locations, and transportation; in-service training for personnel; counseling and guidance services; and child care for children of adults who are attending classes under Section 321.

#### 211.10 BASIC GRANT

A basic grant of \$3,500 is available exclusively for staff development, program assessment, and networking. This grant is in addition to funds earned through HHU generation.

#### 211.11 MINIMUM EXPENDITURES

At least 95 percent of the funds provided to local agencies must be expended for adult education instructional activities. Not more than 5 percent of the funds provided to local agencies is allowed for administration.

#### 211.12 MAXIMUM EXPENDITURES

Funds cannot be allocated to general or secondary level programs designed for high school equivalency certification, the General Educational Development (GED) examination, preparation for the Test of English as a Foreign Language (TOEFL) examination, and ESL classes above eighth grade level or at the high intermediate ESL level as described in the handbook *English-as-a-Second-Language Model Standards for Adult Education Programs*.

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

**SUBJECT 212: NURSING HOMES AND CONVALESCENT HOSPITALS**

**PROGRAM SUMMARY**

Classes in nursing homes and convalescent hospitals must meet the same criteria for approval as do other adult classes.

**212.1 CONDITIONS FOR APPROVAL**

Apportionment can be claimed only for those students in attendance in a designated classroom. (*Education Code* Section 52506)

**212.2 AGREEMENT WITH NURSING HOMES AND CONVALESCENT HOSPITALS**

When classes are offered in such facilities, an agreement must exist between the school district and the nursing home or convalescent hospital. The agreement must include the commitments and the responsibilities of each party. (*Education Code* Section 52506)

**212.3 INSURANCE**

The governing board may purchase liability insurance for the students with district funds. (*Education Code* Section 52530)



**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

**SUBJECT 213:**  
**COMMUNITY SERVICE CLASSES**

**PROGRAM SUMMARY**

The governing board of any school district maintaining secondary schools is authorized without the approval of the CDE to establish and maintain community service classes. Such classes shall be designed to provide instruction and to contribute to the physical, mental, moral, economic, or civil development of the individuals or groups enrolled therein. (*Education Code* Section 51810)

**213.1 CURRICULUM**

School districts may establish and maintain classes in civic, vocational, literacy, health, homemaking, technical, and general education, including, but not limited to, classes in music, drama, art, handicraft, science, literature, nature study, aquatic sports, and athletics. (*Education Code* Section 51810)

**213.2 ENROLLEES**

All persons who can profit from community service classes may enroll in such classes. (*Education Code* Section 51811)

**213.3 SCHEDULING**

Classes may be held for such length of time during the school year as may be determined by the governing board of the school district. (*Education Code* Section 51812)

**213.4 FEES**

The governing board may charge fees not to exceed the cost of maintaining the classes. Remuneration may be made through contract, or funds may be obtained through the contributions or donations of individuals or groups. (*Education Code* Section 51815)

**213.5 CERTIFICATES**

The governing board shall have the authority to grant certificates or other recognition of skill and accomplishment in community service classes. (*Education Code* Section 51813)

**213.6 ANNOUNCEMENTS**

Announcements or news about these classes should show clearly that the classes are not regularly supported by state funds. (*Education Code* Section 52506)

**213.7 ATTENDANCE AND REPORTING**

Attendance in community service classes is not reported to the CDE for apportionment purposes. No apportionment from state funds shall be made to establish or maintain such (community service) classes. (*Education Code* Section 51814)

213.8 TRAFFIC VIOLATOR CLASSES

Traffic violator classes are licensed and regulated by the Department of Motor Vehicles, which is required to enforce standards. State apportionment is prohibited for attendance in these classes. (*Vehicle Code* Section 42005.5)

213.9 NONCREDENTIALLED TEACHERS

The Education Code authorizes school districts to "act in any manner which is not in conflict with or inconsistent with . . . any law." Operation of community service classes with non-credentialed teachers is neither inconsistent nor in conflict with the law. (*Education Code* Section 52506)

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1995

SUBJECT 214:  
INNOVATIVE AND NEW TECHNOLOGIES

**PROGRAM SUMMARY**

This program is designed to allow adult education programs, after approval by the California Department of Education, to use up to 5 percent of their block entitlement for innovative techniques, nontraditional instructional methods, and new technologies. Adult schools are thereby allowed to explore one or more aspects of the way that adult teaching and learning is organized, delivered, carried out, reported, or reimbursed.

**214.1 LEGISLATIVE INTENT**

The State Superintendent of Public Instruction may approve school district plans for adult education innovation and alternative instructional delivery. School districts approved to implement demonstration programs under this section may expend up to 5 percent of their adult block entitlement for implementation of approved programs. School districts implementing programs under this provision shall report expenditures to the State Superintendent in an annual fiscal report, as specified in regulations adopted by the State Superintendent. (*Education Code* Section 52522)

**214.2 NEEDS ADDRESSED**

School districts making an application under this section shall demonstrate how the needs of adults will be addressed by programs, including, but not limited to:

214.2-1 Worksite adult basic education skills instruction

214.2-2 Distance learning, using video and other communication technologies

214.2-3 Home-based and community-based independent study approaches, using instructional technologies

214.2-4 Tests of alternative reimbursement approaches, other than average daily attendance, to determine whether they are reasonable and feasible, to the extent that there is no decrease in the number of students served nor an increase in cost to the state (*Education Code* Section 52522)

**214.3 INELIGIBLE CONCURRENT STUDENTS**

High school students may not participate in these programs as concurrent students. One of the intents of this program is to reach adults who might not otherwise attend a traditional adult education program. (*Education Code* Section 52506)

**214.4 APPLICATION CONTENTS**

Applications will include the following:

- (a) Description of the innovation
- (b) The need--description of the target population and description of the situation to be improved by the innovation
- (c) Description of how the target population of adult learners will benefit as a result of the innovation

- (d) Listing of the major tasks to be accomplished in implementing the innovation
- (e) Time line
- (f) Evaluation design--how it will be determined whether or not the innovation was successful (including fiscal audit standards and academic learning gains, where appropriate)
- (g) Budget (including estimated cost per student)
- (h) Dissemination--a plan for publicizing whether the innovation is successful or unsuccessful (*Education Code* Section 52522)

#### 214.5 ALLOWABLE EXPENSES

For purposes of the adult education innovation and alternative instructional delivery program, allowable expenditures are those costs defined in Education Code Section 52616.4 (a). All expenditures must be adequately supported by source documentation, including time records and other contemporaneous records documenting employee time spent working on the adult education innovation and alternative instructional delivery program. Records of non-personnel expenditures shall include documentation that the service, supply, or equipment was used solely for the adult education innovation and alternative instructional delivery program. Record keeping shall comply with Education Code sections 41010 and 41011. (*Education Code* Section 52522(d), 5 CCR 10600)

#### 214.6 RANGE OF ALLOWABLE EXPENDITURES

School districts shall expend no more than \$2,050 nor less than \$9 per student enrolled in the adult education innovation and alternative instructional delivery program. (5 CCR 10605)

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1997

**SUBJECT 215: CONCURRENTLY ENROLLED STUDENTS/PROGRAMS**

**PROGRAM SUMMARY**

Adult education programs, courses, and classes shall not be used to supplant the regular high school curriculum for high school pupils enrolled in adult education. Adult education shall supplement and enrich the high school pupil's educational experiences. (*Education Code* Section 52523)

**215.1 STUDENT ELIGIBILITY**

A high school student can be counted as concurrently enrolled only if he or she is enrolled in a regular high school program or a continuation school or an opportunity school before enrollment in an adult education program, course, or class and the adult class does not supplant regular programs. (*Education Code* sections 52523, 52500.1, 48200)

**215.2 MINIMUM CRITERIA**

All programs, courses, and classes conducted, as adult education shall meet the following criteria (*Education Code* Section 52523 (a), 5 CCR 10524):

215.2-1 All such programs, courses, and classes shall be open to adults.

215.2-2 All shall be listed in the district's catalog of adult education classes provided to the public.

215.2-3 All shall be under the supervision and jurisdiction of the adult education administrator.

215.2-4 Adults shall have priority over other students for admission to any adult education class, provided that those adults enroll not later than the regular enrollment period for those classes.

215.2-5 The enrollment period shall be published in the course catalog.

215.2-6 Each program area as authorized in *Education Code* Section 41976 shall be designed for and attended primarily by adults. (5 CCR 10524)

215.2-7 No course required by the school district for high school graduation or necessary for pupils to maintain satisfactory academic progress shall be offered exclusively through the adult education program.

**215.3 TEACHER SUPERVISION**

Each adult education teacher, whether part-time or full-time, under contract status or in an hourly position, shall be part of the adult school faculty and shall be under the direct supervision of the authorized adult education administrator. (*Education Code* Section 52523(b))

**215.4 VOLUNTARY ENROLLMENT**

Enrollment of high school pupils shall be voluntary on the part of the pupils taking the class. Prior to enrollment by a high school pupil in an adult education program, class, or course, the pupil shall have documentation of the counseling session held pursuant to subdivision (b) of Section 52500.1. (*Education Code* Section 52523(c))

## 215.5 ENROLLMENT PURPOSES

Enrollment of a high school pupil in an adult education program, course, or class shall be for sound educational purposes, including, but not limited to, the following:

- (1) The adult education program, course, or class is not offered in the regular high school curriculum.
- (2) The adult education program, course, or class is needed by the pupil to make up deficient credits for graduation from high school.
- (3) The adult education program, course, or class allows the pupil to gain vocational and technical skills, provided the regular high school does not offer a program of vocational and technical education.
- (4) The adult education program, course, or class supplements and enriches the high school pupil's educational experience. (*Education Code* Section 52523(d))

## 215.6 COURSES NOT AVAILABLE FOR APPORTIONMENT

A high school pupil shall not be enrolled for apportionment purposes in an adult education program, course, or class that would be considered any of the following:

- (1) Physical education
- (2) Driver's training and education
- (3) Vocal and instrumental music
- (4) Band
- (5) Drama
- (6) Preparation of a school yearbook or school newspaper
- (7) Training for, or participation in, athletic camps, cheerleading or spirit organizations, student government, or extracurricular student clubs
- (8) Adult education programs for substantially handicapped persons
- (9) Adult programs for older adults
- (10) Adult education programs for apprentices
- (11) Adult programs in home economics
- (12) Adult programs in health and safety education (*Education Code* sections 52523(e), 52500.1, 41976 (5) (7) (8) (9) (10))

## 215.7 ENROLLMENT CAP

The A.D.A. generated by high school students enrolled in adult education is included in the total adult A.D.A.; and commencing July 1, 1995, A.D.A. for concurrently enrolled students is limited to 10 percent of the district's A.D.A. for all pupils in grades nine through twelve certified for annual principal apportionment. (*Education Code* Section 52616.17)

## 215.8 FIELD ACT/CONCURRENTLY ENROLLED

Concurrently enrolled students are not prohibited from attending adult education classes in facilities that do not meet Field Act requirements. (*Education Code* Section 52506)

## 215.9 APPORTIONMENT RATE

The apportionment rate for a high school student enrolled in adult education is the district's adult education revenue limit. (*Education Code* Section 52616.17)

## 215.10 NO SUPPLANT RULE

A high school student shall be enrolled in adult education courses or classes only to supplement and enrich the student's education experience. High school students may not be enrolled in adult education classes if similar classes are available in the regular high school program. A limited exception to this rule exists

where a student needs a particular course to graduate and that course will not be available through the regular program in time for the student to graduate on time.

A student enrolled in a high school program may attend classes for adults concurrently only after attending for the full time scheduled as the length of the regular school day, or continuation school day, as designated by the local district governing board. In most districts the regular day schedule is five or six consecutive hours of classes per day. The continuation school minimum day is 180 minutes. (*Education Code* sections 48200, 52523)

**SECTION 200:**  
**COURSE PURPOSE AND STRUCTURE**

Revised 1997

**SUBJECT 216:**  
**INDEPENDENT STUDY**

**PROGRAM SUMMARY**

Independent study is available conditionally as an instructional strategy for students enrolled in adult education. It provides an additional mode of study for students with unique scheduling needs. The option also offers opportunities to claim apportionment for other than seat time.

**216.1 DEFINITION**

"Independent study" means an alternative to classroom instruction consistent with the district's course of study. (5 CCR 11700)

**216.2 APPORTIONMENT RATE/CAP**

Use of the independent study mode of instruction has no effect on the cap on the number of students who may be enrolled in adult education.

**216.3 ELIGIBLE COURSEWORK**

If a pupil 21 years of age or older, or a pupil 19 years of age or older, has not been continuously enrolled in kindergarten or any of grades 1 to 12, inclusive, since his or her 18th birthday, any attendance credit for coursework he or she is pursuing through independent study shall be eligible for apportionment only if it is one or more of the types of courses set forth in paragraph (1) of subdivision (a) of Section 51225.3 or any course required by the governing board as a prerequisite to receiving a diploma of high school graduation. (*Education Code* Section 46300.4)

**216.4 RECORDS**

- (a) Maintaining records to meet audit requirements is the responsibility of the local district or county superintendent's office. These records may be on site(s).
- (b) Records shall include, but not be limited to, the following:
  - (1) A copy of the adopted school board policy and procedures
  - (2) A file of all agreements, including representative samples of each pupil's completed and evaluated student assignments as determined by the school district or county superintendent's office, as appropriate
  - (3) A record of pupils who have participated that shows credits attempted by and awarded to each pupil per agreement
  - (4) An attendance register separate from other attendance records (5 CCR 11703)

**216.5 ATTENDANCE CREDIT**

Attendance credit for adult students is based on an apportionment day equal to three hours. No more than three hours per apportionment day or 15 hours of independent study per five-day week may be claimed for adult education independent study. This is a limit on the amount of A.D.A. that may be claimed, not a limit on the amount of student study.



School districts and county offices of education may claim apportionment credit for independent study only to the extent of the time value of pupil or student work products as personally judged in each instance by a certificated teacher. ("Independent Study News and Comment from the Department, " November 18, 1993; *Education Code* sections 51747.5 (b), 46300(e))

#### 216.6 COORDINATION, EVALUATION, AND SUPERVISION OF INDEPENDENT STUDY

The independent study by each pupil or student shall be coordinated, evaluated, and, notwithstanding subdivision (a) of Section 46300, shall be under the general supervision of an employee of the school district or county office of education who possesses a valid certification document pursuant to Section 44865, registered as required by law. (*Education Code* Section 51747.5 (a) )

#### 216.7 INDEPENDENT STUDY MANUAL

For a comprehensive presentation of the implementation, operation, and accounting procedures for this alternative program, see the current edition of the Independent Study Operations Manual, available from Bureau of Publications, Sales Unit, California Department of Education.

**SECTION 300:**  
**PERSONNEL ADMINISTRATION**

Revised 1995

**SUBJECT 301:**  
**EMPLOYMENT OF TEACHERS**

**PROGRAM SUMMARY**

Adult education programs employ primarily hourly rate teachers. This section refers to such teachers and all others in positions requiring certification, regardless of district classification status.

**301.1 TENURE**

When a teacher of classes for adults serves sufficient probationary time as provided in sections 44929.20 to 44929.23, inclusive, and Section 44908 to be eligible for election to permanent classification in that district, his or her tenure shall be for the service equivalent to the average number of hours per week that he or she has served during his or her probationary years. (*Education Code* Section 44929.25)

**301.2 MINIMUM SERVICE TIME FOR PROBATIONARY STATUS**

To earn probationary status, an employee must meet both of the conditions defined below in subsections 301.2-1 and 301.2-2:

**301.2-1 SIXTY PERCENT RULE**

Notwithstanding any other provision to the contrary, any person who is employed to teach adults for not more than 60 percent of the hours per week considered a full-time assignment for permanent employees having comparable duties shall be classified as a temporary employee, and shall not become a probationary employee under the provisions of Section 44954. (*Education Code* Section 44929.25)

**301.2-2 SEVENTY-FIVE PERCENT RULE**

The employee must be employed in such an assignment at least 75 percent of the number of days the adult school is in session. (*Education Code* Section 44908)

**301.3 EXTRA ASSIGNMENTS**

Any assignments in addition to a full-time assignment as defined by the school district may be terminated at any time. (*Education Code* Section 44923)

**301.4 SEVERANCE OF CERTIFICATED EMPLOYEES**

Severance of employment of a probationary or permanent certificated employee may occur in adult education by the same mechanisms or procedures as in the regular program, e.g.:

- (1) Non re-election of a probationary employee
- (2) Dismissal of a probationary employee during the school year
- (3) Dismissal of a permanent employee for cause
- (4) Layoff

It should be noted that different rules apply for districts with 250 A.D.A. or less. (*Education Code* sections 44929.20 et seq.)

**SECTION 300:**  
**PERSONNEL ADMINISTRATION**

Revised 1995

**SUBJECT 302: LEAVES OF ABSENCE**

**PROGRAM SUMMARY**

The following constitutes state-mandated minimum standards and may be exceeded by action of a district governing board.

**302.1 PERSONS EMPLOYED FIVE DAYS A WEEK**

All such persons employed in positions requiring certification are entitled to ten days leave of absence for illness or injury per year. Additional days may be granted by the governing board exclusive of all days when service to the district is not required. (*Education Code* Section 44978)

**302.2 TRANSFER OF ACCUMULATED LEAVE**

When an employee has been employed for a year or more, accumulated leave of absence for illness or injury accrued by a certificated employee of a district is transferred in full when the employee terminates one position requiring certification and accepts another. (*Education Code* sections 44979 and 44982)

**302.3 PROVISIONS FOR SICK LEAVE**

Sick leave for hourly paid, certificated adult school teachers who are not included in the district bargaining agreement is computed in hours by determining the ratio that the hourly assignment bears to a full-time assignment expressed in hours. The computation should be based on the ratio established in statute of one day of sick leave for each month of full-time assignment. (*Education Code* Section 44978)

**302.4 PAY FOR LEAVE OF ABSENCE**

Pay for any day of leave of absence is the same as the pay the employee would have received had that employee worked. (*Education Code* Section 44978)

**302.5 AVAILABILITY OF LEAVE TIME (*Education Code* Section 44978)**

**302.5-1 NO PRIOR ACCRUAL**

Credit for leave of absence for illness or injury need not be accrued prior to the employee's taking such leave.

**302.5-2 ANY TIME DURING THE SCHOOL YEAR**

Leave of absence for illness or injury may be taken at any time during the school year.

**302.6 ACCUMULATION OF LEAVE TIME**

Unused leave of absence for illness or injury is accumulated from year to year along with such additional days as the governing board may allow. (*Education Code* Section 44978)

302.7 PERSONAL NECESSITY

An employee may elect to use days of leave of absence for illness or injury for personal necessity. Such use is not to exceed seven (7) days per year unless specified in collective bargaining agreements. Regulations requiring and prescribing the manner of proof of personal necessity are provided by the governing board of the district. (*Education Code* Section 44981)

302.8 DEATH, ILLNESS, OR ACCIDENT IN IMMEDIATE FAMILY

Any person employed in a position requiring certification is entitled to a leave for any one of these reasons without securing advance permission. (*Education Code* Section 44985)

**SECTION 300:**  
**PERSONNEL ADMINISTRATION**

Revised 1995

**SUBJECT 303:**  
**CREDENTIALS**

**PROGRAM SUMMARY**

In computing the A.D.A. of a school district, count only the attendance of pupils while engaged in educational activities required of those pupils and under the immediate supervision and control of an employee of the district who possessed a valid certification document, registered as required by law. (*Education Code* Section 46300 (a))

**303.1 DESIGNATED SUBJECTS/VOCATIONAL CLASSES AND PROGRAMS**

The minimum requirements for the teaching credential shall be (1) adequate, successful, and recent experience in the technical skill, trade, or vocation named on the credential, such experience to be equivalent to five years of employment; (2) a program of personalized in-service training to provide preparation as approved by the Commission on Teacher Credentialing; and (3) possession of a high school diploma or the passage of an equivalency examination as designated by the commission. (*Education Code* sections 44260, 44260.1 through 44260.3; 5 CCR 80034 through 80040)

**303.2 FULL-TIME/PART-TIME CREDENTIALS**

Sections 80036 and 80036.3 of the California Code of Regulations, Title 5, include requirements for and the authorization of the designated subjects teaching credentials for adult school assignments.

**SECTION 300:**  
**PERSONNEL ADMINISTRATION**

Revised 1997

**SUBJECT 304:**  
**INSTRUCTIONAL AIDES**

**PROGRAM SUMMARY**

It is the intent of the Legislature to authorize the employment of instructional aides in order that classroom teachers and other certificated personnel may draw upon the services of such aides to assist them in ways determined to be useful in improving the quality of educational opportunities for pupils. (*Education Code* Section 45341)

**304.1 UTILIZATION**

Instructional aides shall not be utilized to increase the number of pupils in relation to the number of classroom teachers in any school, any school district, or in the state. Notwithstanding the foregoing provisions, class size ratios existing in special education classes prior to November 13, 1968, may be maintained or decreased, but not increased, by use of instructional aides.

All instructional aide positions in a school district shall be assigned the basic title of "instructional aide" or other appropriate title designated by the governing board. To provide for differences in responsibilities and duties, additions to the basic title may be assigned such as "instructional aide I or II" or "instructional aide-volunteer" or other appropriate title. (*Education Code* Section 45342)

**304.2 DEFINITION**

As used in this article, "instructional aide" means a person employed to assist classroom teachers and other certificated personnel in the performance of their duties and in the supervision of pupils and in instructional tasks which, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. (*Education Code* Section 45343(a))

**304.3 DUTIES PERFORMED**

Subject to the provisions of this article, any school district may employ instructional aides to assist classroom teachers and other certificated personnel in the performance of duties as defined in Section 45343. An instructional aide shall perform only such duties as, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to pupils. An instructional aide need not perform such duties in the physical presence of the teacher but the teacher shall retain his responsibility for the instruction and supervision of the pupils in his charge. (*Education Code* Section 45344(a))

**304.4 DEMONSTRATED PROFICIENCY**

Commencing on March 1, 1982, no person shall be initially assigned to assist in instruction as an instructional aide unless the person has demonstrated proficiency in basic reading, writing, and mathematics skills up to or exceeding that required by the employing district for high school seniors under Section 51216 if the employing district educates high school students. If the employing district is an elementary school district, the aide shall demonstrate proficiency in basic reading, writing, and mathematics skills up to or exceeding that required for high school seniors under Section 51216 in the high school district that includes all or the largest portion of the elementary district. (*Education Code* Section 45344.5(a))

304.5 PAY

The school district shall pay to each person employed as an instructional aide compensation at a rate not less than the minimum hourly rate prescribed by federal law. (*Education Code* Section 45348)

**SECTION 400:**  
**BUDGET AND ADULT EDUCATION FINANCE**

Revised 1997

**SUBJECT 401:**  
**ADULT EDUCATION INCOME**

**PROGRAM SUMMARY**

Adult education income is derived primarily from local, state, and federal sources. Under certain conditions, fees may also be used to supplement income.

**401.1 FEDERAL FUNDS**

Adult education programs may derive income, in addition to funds provided by state and local sources, by participating in any of the following major federally funded programs: Job Training Partnership Act (JTPA), Work Incentive Program (WIN), Adult Basic Education (ABE), Vocational Education Act (VEA), Vocational Rehabilitation, JOBS, and Greater Avenues to Independence (GAIN).

**401.2 FEES PLUS A.D.A.**

Except as specified in this section, an adult enrolled in a class for adults may be required by the governing board of the district maintaining the class to pay a fee for the class. The total of fees required plus revenues derived from A.D.A. (local and state funds combined) must not exceed the estimated cost of all such classes maintained. Fees are not counted as part of the revenue limit income but are considered income to the adult education program in the general funds of the district. (*Education Code* Section 52612)

**401.3 NO CHARGE FOR CERTAIN CLASSES**

Except as specified in Section 52613, no charge of any kind shall be made for a class in English and citizenship for immigrants or a class in an elementary subject. No fee charge shall be made for a class designated by the governing board as a class for which high school credit is granted when the class is taken by a person who does not hold a high school diploma. The total of the fees required and revenues derived from A.D.A. shall not exceed the estimated cost of all such classes maintained, including the reserves authorized by Section 52501.5. (*Education Code* Section 52612)

**401.4 SALE OF MATERIALS TO PUPILS**

The regulations of the governing board may provide for the sale of materials purchased from the incidental expense account to pupils in classes for adults, for use in connection with such classes. The proceeds of all such sales shall be deposited in that account and shall be available for the purposes of that account. (*Education Code* Section 52615)

**401.5 CALCULATING A.D.A.**

A day of attendance in an adult school is 180 minutes, or three hours. One hundred seventy-five three-hour days equal an A.D.A. unit by which adult education programs and schools are measured. (*Education Code* sections 46190, 52506)

**401.6 CHARGES FOR BOOKS IN ADULT CLASSES**

The governing board of each high school district may fix a charge not to exceed the cost of the books to the high school district for books furnished for pupils in classes for adults. In lieu of fixing such charge, the



board may lend books to such pupils and require the making of deposits by the pupils, the amount of deposit made by a pupil to be refunded on the return of the books in good condition, reasonable wear and tear excepted. (*Education Code* Section 60410)

#### 401.7 JOINT PROGRAMS: ROC/P AND ADULT EDUCATION

Regional occupational centers and programs may jointly establish, operate, and share the enrollments and cost of vocational education instruction with adult education programs offered by school districts serving the same geographic area. Such programs shall be approved by the State Board of Education and the county superintendent of schools and shall be subject to guidelines established by the State Superintendent of Public Instruction. Such programs shall also be funded at the adult revenue limit amount provided pursuant to Section 42238. (*Education Code* Section 52302.9)

#### 401.8 TRANSFER OF SPECIAL OR RESTRICTED FUND MONIES

The governing board of any school district may direct that money held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations. The transfer shall be accounted for as temporary borrowing between funds or accounts and shall not be available for appropriation or be considered income to the borrowing fund or account. Amounts transferred shall be repaid either in the same fiscal year or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. Borrowing shall occur only when the fund or account receiving the money will earn sufficient income, during the current fiscal year, to repay the amount transferred. No more than 75 percent of the maximum of moneys held in any fund or account during a current fiscal year may be transferred. (*Education Code* Section 42603)

#### 401.9 ADULT EDUCATION REVENUE EXPENDITURES

- (a) Except as provided in subdivision (b), no revenue derived from the average daily attendance of adult education programs shall be expended for other than adult education purposes, nor shall revenue derived from other average daily attendance be expended for adult education purposes.
- (b) When a district's adult revenue limit as allowed by Section 52616 is composed of average daily attendance from both a regional occupational center or program and an adult education program, the adult revenue limit income may be allocated to each program in a proportion other than the amount of adult revenue limit per average daily attendance otherwise allocable thereto. (*Education Code* Section 52501.5)

#### 401.10 ADULT BLOCK ENTITLEMENT; ADULT EDUCATION FUND

- (a) Notwithstanding any other provision of law, commencing July 1, 1993, the State Superintendent of Public Instruction shall determine an adult block entitlement, to be paid from appropriations to Section A of the State School Fund as part of the principal apportionment to school districts, for those school districts that maintain education programs for adults by multiplying the adult education revenue limit per unit of average daily attendance determined pursuant to Section 52616.16 and the adult education average daily attendance determined pursuant to Section 52616.17.
- (b) The adult block entitlement shall be deposited in a separate fund of the school district to be known as the "adult education fund." Moneys in an adult education fund shall be expended only for adult education purposes. Moneys received for programs other than adult education shall not be expended for adult education. (*Education Code* Section 52616)

#### 401.11 FULL COST OF INSTRUCTION

Notwithstanding any section to the contrary, each governing board of a school district maintaining classes for adults that issues a Certificate of Eligibility for Nonimmigrant (F-1) Student Status--For Academic and Language Studies, Form I-20AB, or completes Form I-20AB for a nonimmigrant alien, as defined in subparagraph (F) (i) of paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United States Code, for the purposes of enrolling the nonimmigrant alien in a class in English and citizenship for foreigners or a class in an elementary subject, shall charge the nonimmigrant alien a fee to cover the full costs of instruction, but in no case shall the fee exceed the actual cost of the instruction. The fee shall be adopted at a regular meeting of the governing board of each of these school districts maintaining classes for adults at least 90 days prior to the commencement of the classes for which the fee is charged. (*Education Code* Section 52613(a))

#### 401.12 REALLOCATED FUNDS

The State Superintendent of Public Instruction shall develop criteria to identify the programmatic areas of adult education that are in need of expansion. Each district shall be given an opportunity to apply for additional authorized units of adult education average daily attendance to meet any local needs in the identified adult education programs. Any adult education average daily attendance authorized by the State Superintendent shall result in a new authorized limit of adult education average daily attendance for the districts. (*Education Code* Section 52616.23)

#### 401.13 EXPENDITURES FROM ADULT EDUCATION FUND; VIOLATIONS, PENALTY

If the State Department of Education and the Department of Finance concur that a school district has violated this section, the Superintendent of Public Instruction shall direct that school district to transfer double the amount improperly transferred to the district's general fund from that fund to the district's Adult Education Fund for the subsequent fiscal year, which amount shall be used for the improvement of the district's adult education program. If the school district fails to make that transfer as directed, the superintendent shall reduce the school district's regular apportionment determined pursuant to Section 42238 and increase the district's adult block entitlement determined pursuant to Section 52616 by that amount, which amount shall be used for improvement of the district's adult education program. (*Education Code* Section 52616.4(E)(4)(b))

**SECTION 400:**  
**BUDGET AND ADULT EDUCATION FINANCE**

Revised 1997

**SUBJECT 402: BUDGET, ACCOUNTING, AND OTHER TERMINOLOGY DEFINED**

**402.1 PIC**

Private Industry Council, membership of which is usually by appointment by county supervisors

**402.2 APPORTIONMENT**

Allocation of state or federal aid, district taxes, or other moneys among school districts or other governmental units

**402.3 ASSESSED VALUATION**

Value placed on personal and real property by a governmental unit for taxation purposes

**402.4 AVERAGE DAILY ATTENDANCE (A.D.A.)**

The basic unit for computing the income produced by full-time equivalent student attendance (525 hours of attendance equals one adult unit of A.D.A.)

**402.5 ADULT EDUCATION FUND**

A fund established by the governing board of a district, which operates an adult education program for the purpose of recording income and expenditures for adult education programs

**402.6 COMPUTATIONAL TAX**

An amount of money set by the Legislature as a part of the equalization aid formula; \$1 per \$100 of assessed valuation

**402.7 COMMUNITY-BASED ORGANIZATION (CBO)**

A local educational or social service agency which depends primarily on private and corporate contributions for funding instead of on tuition or public moneys

**402.8 LOCAL EDUCATIONAL AGENCY (LEA)**

Any public educational agency designated or authorized by the Office of the Chancellor of the California Community Colleges or the CDE to provide related and supplemental instruction for apprentices. Such agency shall be referred to as LEA.

**402.10 ADULT BASIC EDUCATION (ABE)**

Education for adults who have not completed a secondary education or its equivalent and which has as the primary objective the teaching of basic literacy skills as described in a course of study adopted by the agency's governing board and approved by the Adult Education Unit

**402.11 ENGLISH AS A SECOND LANGUAGE (ESL)**

Education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment and to function in society

402.12 FORM J-380

Annual Program Cost Report

402.13 PROGRAM

A group of related activities consisting of a unique combination of objects that operate together to accomplish common ends

402.16 REVENUE LIMIT

The amount of revenue per A.D.A.

402.17 SECURED TAX REQUIRED

The actual tax requirement to provide local secured property tax income to an individual district

402.19 CAP

Limit put on each adult program's annual A.D.A. by the Legislature after the passage of Proposition 13 and generally adjusted for growth each year by the Budget Act of 1979, Chapter 259, Item 338

402.20 I-20

A certificate of eligibility for nonimmigrant (F-1) student status for academic and language students. A school authority which receives public funding and operates public elementary or secondary programs can no longer issue Form I-20 to foreign students to attend adult education or language programs regardless of tuition requirements. (Section 625, P.L. 104-208)

402.21 HUNDRED-HOUR UNITS

One hundred hours of student attendance equal to one unit of reimbursement of supplemental funds (100 hours = 1 HHU). Thus, if a program generates 600 hours of student attendance (i.e., actual seat time), that program is eligible to receive six HHUs.

402.22 UNIT RATE

The amount of federal funds under the Adult Education Act that is available to an applicant agency for each 100 hours of attendance

**SECTION 400:**  
**BUDGET AND ADULT EDUCATION FINANCE**

Revised 1995

**SUBJECT 403:**  
**ADULT EDUCATION EXPENDITURES**

**PROGRAM SUMMARY**

A school district may expend funds from the district's Adult Education Fund only for the following charges:

**403.1 FACILITIES DEFINED**

Costs for facilities that are exclusively used to house adult education programs and that are supported by auditable documentation. For purposes of this subparagraph, a facility that houses an adult education program and a regional occupational center or program or a child care program, or both, is a facility that exclusively houses an adult education program.

For facilities that are used by more than one program, including the adult education program, a district may charge the adult education fund an amount attributable to the adult education program, but this charge shall not exceed the amount derived from the calculation described in Section 52616.4(a) (2) (C).

**403.2 NONDISTRICT-OWNED FACILITIES**

Costs for non district-owned facilities that exclusively house adult education programs, including, but not limited to, costs of facilities that are used to provide child care services to the children of the pupils attending the adult education program at the same site. For purposes of this paragraph, a facility that houses an adult education program and a regional occupational center or program or a child care program, or both, is a facility that exclusively houses an adult education program. (*Education Code* Section 52616.4(a) (2) (D))

**403.3 ACQUISITION OF FACILITIES**

Costs for the acquisition of facilities originally acquired by adult education programs, or for the restoration of those facilities, including costs for debt service for the acquisition or restoration of a facility, including the costs of facilities that are used to provide child care services to the children of the pupils attending the adult education program at the same site. (*Education Code* Section 52616.4(a) (2) (E) )

**403.4 DIRECT/INDIRECT COSTS - 8 PERCENT ALTERNATIVE**

- (1) Direct instructional costs relating directly to the adult education program, including, but not limited to, the salaries and benefits of adult education teachers and aides, textbooks, instructional supplies, travel and conference expenses for employees who work in the adult education program, and repair, maintenance, acquisition, and replacement of instructional equipment used in the adult education program.
- (2) Direct support costs for the adult education program. For the purposes of this section "direct support costs" means:
  - (A) Instructional administration and instructional media costs that are supported by auditable documentation. For purposes of this provision, instructional administration costs include the documented costs of the individual who, regardless of specific job title, administers the district's adult education program.

- (B) School administration and pupil services costs that are supported by auditable documentation and that represent the activities of individuals whose employment by the school district is exclusively in support of the adult education program.
  - (C) Plant maintenance and operations costs, including costs for facilities that are used to provide child care services to the children of the students attending the adult education program at a particular site.
  - (D) Facilities costs for non district-owned facilities that exclusively house adult education programs, including, but not limited to, costs of facilities that are used to provide child care services to the children of the pupils attending the adult education program at the same site. For purposes of this paragraph, a facility that houses an adult education program and a regional occupational center or program or a child care program, or both, is a facility that exclusively houses an adult education program.
  - (E) Costs for the acquisition of facilities originally acquired by adult education programs, or for the restoration of those facilities, including costs for debt service for the acquisition or restoration of a facility, including the costs of facilities that are used to provide child care services to the children of the pupils attending the adult education program at the same site.
- (3) Indirect costs of the adult education program. For the purposes of this paragraph, "indirect costs" means the lesser of the school district's prior year indirect cost rate as approved by the Department of Education or the statewide average indirect cost rate for the second prior fiscal year.
- (4) As an alternative to charging the costs in both paragraphs (2) and (3) to the adult education program, a school district may transfer not more than 8 percent of the annual revenue deposited in the district's Adult Education Fund to the district's general fund for expenditures the district incurs in operating its adult education program. (*Education Code* Section 52616.4(a) (1) (2) (3) (4))